



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/037,273

01/04/2002

Roy W. Bowen

P00588-US-0
(15859.0005)

6830

7590

03/05/2003

Brian T. Ster
ICE MILLIER
One American Square
Box 82001
Indianapolis, IN 46282-0002

EXAMINER

TSIDULKO, MARK

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 03/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/037,273

Applicant(s)

BOWEN, ROY W.

Examiner

Mark Tsidulko

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The Abstract of the disclosure is objected to because of using claim language; “**comprising**” should be changed to “**having**” (Abstract, line 1).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims **1, 3, 4, 5** are rejected under 35 U.S.C. 102(e) as being anticipated by Goto (US 2001/0001596).

Referring to Claim 1 Goto discloses (Fig.2) a vehicle lamp having:

- a molded (page 1, [0013]) component [10] including a base portion [12] having an opening, a lens portion [13] rigidly, integrally molded completely over the opening in the base portion and a light source holder [21] integrally molded to the base portion and adapted to hold the electrical connector so that when the light source is held by the connector, the light source extends into the hollow portion of the lens portion;

Art Unit: 2875

- an electrical connector [32] adapted to provide electrical connection to the light source;
- means [14, 15] for retaining the base portion to the exterior surface of the vehicle body.

Referring to Claim 3 Goto discloses (page 2, [0035]) the electrical connector having a twist-lock (bayonet) engagement with the light source holder.

Referring to Claim 4 Goto discloses (Fig. 2) means 14] for retaining the base portion to the exterior surface of the vehicle (page 3, [0040]).

Referring to Claim 5 Goto discloses (Fig. 2) the retaining means [15] using at least one fastener for connection the base portion of the device to the vehicle body.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6, 7, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goto (US 2001/0001596).

Referring to Claims 2, 8 Goto discloses (Fig.2) a molded light source holder [21] formed as a ring (opening) encircling an electrical connector.

Art Unit: 2875

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, that the tube-shape holder implements identical function as a holder of Goto and can be used as variant of design for purpose of fitting the light source connector into base portion of the device.

Referring to Claim 6 it is well known in the art that the thermoplastic material is most usable material in a molding process.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the molded portions of Goto's device made of thermoplastic in order to obtain the single piece design which is easier and more efficient to manufacture.

Referring to Claim 7 Goto discloses (Fig.2) a gasket compressed in between the flange portion and the peripheral edge portion of the bulb fitting hole, but does not discloses the gasket between the base portion and the vehicle body.

The gaskets are well known in the art and technology and are used to prevent the passage of moisture in the device.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the Goto's device with the gasket between the base portion and the vehicle body, identically as for flange portion and the peripheral edge portion of the bulb fitting hole in order prevent the passage of moisture in the device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (703)308-1326. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703)872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

M.T.
February 21, 2003


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800